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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR11-295-MJP
10 v.)
11 CHARLES E. TUCKER,) DETENTION ORDER
12 Defendant.)
13 _____)

14 Offense charged: Felon in Possession of a Firearm

15 Date of Detention Hearing: September 8, 2011.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
18 that no condition or combination of conditions which defendant can meet will reasonably
19 assure the appearance of defendant as required and the safety of other persons and the
20 community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. Defendant has a lengthy criminal history, which includes multiple controlled
04 substance charges, as well as assault charges. The instant charges were filed when he was on
05 Department of Corrections (DOC) supervision. The AUSA proffers that defendant had
06 stopped reporting, which occasioned a home visit from his probation officer. A safe in his
07 residence contained methamphetamine and a firearm, together with indicia of ownership, and
08 other firearms and ammunition were found in the residence. DOC reported to Pretrial Service
09 that defendant absconded from supervision on three occasions and committed new law
10 violations during the approximately two years he was supervised from 2006 to 2008.

11 3. Taken as a whole, the record does not effectively rebut the presumption that no
12 condition or combination of conditions will reasonably assure the appearance of the defendant
13 as required and the safety of the community.

14 It is therefore ORDERED:

- 15 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
16 General for confinement in a correction facility separate, to the extent practicable, from
17 persons awaiting or serving sentences or being held in custody pending appeal;
- 18 2. Defendant shall be afforded reasonable opportunity for private consultation with
19 counsel;
- 20 3. On order of the United States or on request of an attorney for the Government, the
21 person in charge of the corrections facility in which defendant is confined shall deliver
22 the defendant to a United States Marshal for the pupose of an appearance in connection

01 with a court proceeding; and

- 02 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
03 for the defendant, to the United States Marshal, and to the United State Pretrial Services
04 Officer.

05 DATED this 8th day of September, 2011.

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08 Mary Alice Theiler
09 United States Magistrate Judge
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